

## **TITLE 16 DENTAL BOARD OF CALIFORNIA**

NOTICE IS HEREBY GIVEN that the Dental Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the **Embassy Suites Hotel, 250 Gateway Boulevard, South San Francisco, California, 94080 at 1:30p.m., on Friday, January 27, 2006.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Dental Board of California at its office not later than 5:00 p.m. on Monday, January 23, 2006, or must be received by the Dental Board of California at the hearing. The Dental Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 1614 of the Business and Professions Code, and to implement, interpret or make specific Sections 1628, 1628.2, 1631, 1632, 1633, 1632.5 of said Code, the Dental Board of California is considering changes to Division 10 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Amend Title 16 of the California Code of Regulations, Sections 1021, 1028, 1034, and Add Section 1034.1.

Existing law authorizes the board to regulate the issuance of dental licenses and specifies the methods of qualification for applicants for licensure. These regulations will update current regulations to allow applicants to qualify for licensure through WREB examination, which exists in statute, but not currently in regulation. These regulations will allow application, collection of fees, and establish the processes necessary to license applicants qualifying by WREB examination and implement the provisions of SB 1865.

Senate Bill 1865, (Chapter 670 in the 2004 Legislative Session), expanded the existing statutes as they relate to examination for licensure in California. Specifically, the law allows candidates who wish to practice dentistry in California to pass the Western Regional Examination Board (WREB) examination as an alternative to passing the California Licensure Examination. Acceptance of a passing score on the WREB examination was predicated on a review of the WREB examination's compliance with Section 139 that was to be conducted by the Department of Consumer Affairs' Office of Examination Resources. In accord with the statutory mandate, this analysis was completed by September 30, 2005. This statute also mandates that the review must conclude that the WREB examination tests procedures comparable to the practice of dentistry in California. Before issuance of a California dental license, the statute specifies that

candidates who pass the WREB examination will be required to pass the California Law & Ethics Examination (and meet uniform licensure requirements, which are necessary of all individuals wishing to receive a dental license in California). This bill passed as an urgency statute and must take effect immediately.

The Department of Consumer Affairs' Office of Examination Resources completed its review on September 30, 2005 and determined that the WREB examination conforms to the requirements of Section 139 and is comparable to the practice of dentistry in California as mandated by SB 1865. The proposed regulations are necessary to implement the statutory mandate on the urgency basis required.

### **FISCAL IMPACT ESTIMATES**

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses:

The Dental Board of California has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. New jobs or businesses may be created by new licensees, however it is not possible to determine the number of such jobs or businesses that may be created.

Cost Impact on Representative Private Person or Business:

The Dental Board of California is not aware of any cost impact that a representative private person or business would necessarily incur in a reasonable compliance with the proposed action.

Effect on Housing Costs: None

## **EFFECT ON SMALL BUSINESS**

The Dental Board of California has determined that the proposed regulations would not affect small businesses since the Dental Board of California is the only entity that administers a licensure examination for California dentists.

## **CONSIDERATION OF ALTERNATIVES**

The Dental Board of California must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

## **INITIAL STATEMENT OF REASONS AND INFORMATION**

The Dental Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

## **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Dental Board of California at 1432 Howe Avenue, Suite 85, Sacramento, California 95825.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below **(or by accessing the website listed below)**.

## **CONTACT PERSON**

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name:	Donna Kantner
Address:	1432 Howe Avenue, Suite 85 Sacramento, California 95825
Telephone No.:	916-263-2300 x2308
Fax No.:	916-263-2140
E-Mail Address:	Donna_Kantner@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Donna Kantner (916) 263-2300, ext. 2308

Website Access Materials regarding this proposal can be found at [www.dhc.ca.gov](http://www.dhc.ca.gov)